

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Dharoor (Mandal)  
Khammampad H/o.Uppair (Village) – O.P.Nos.138/91 and 137/91 - Sanction of decretal  
charges of **Rs.2,82,941/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 868

DATE:06.11.2009

Read:

From the Secy.to CCLA, AP, Hyderabad Lr.No.G1/1417/2009, dt:23.09.09  
along with the proposal of the Special Collector (LA) Bheema Project,  
Mahabubnagar District dt:08.09.2009.

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ORDER:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.138/91 and 137/91 pertaining to Khammampad H/o.Uppair (V) Dharoor (M) of Mahabubnagar District. The then Land Acquisition Officer acquired lands in the limits of Khammampad H/o.Uppair (V) vide Award No.4/91, dt:25.03.91 by fixing the market value @Rs.8,000/-, Rs.8,000/- and Rs.7,000/- for Category-I, II & III for the purpose of submergence under PJP and paid compensation to the Awardees. The Awardees have filed petitions U/s.18 of L.A.Act. The Subordinate Judge, Gadwal has delivered its judgment on 1.09.95 by enhancing the market value from Rs.8,000/- to Rs.45,000/- for Cat-I, II and from Rs.7,000/- to Rs.30,000/- for Cat-III. Aggrieved with the orders, the SDC, LA Unit, PJP, Gadwal has filed appeal in Hon'ble High Court of Andhra Pradesh, Hyderabad. The Hon'ble High Court has granted interim stay orders. In compliance to the Hon'ble Court orders, the Special Collector (LA) Bheema Project, Mahabubnagar has deposited 50% decretal charges. The Hon'ble High Court of A.P, Hyd has disposed the Appeal on 09.09.96. Aggrieved by the said order of the Hon'ble High Court, the SDC, LA Unit, PJP, Gadwal has filed SLP before the Hon'ble Supreme Court of India, New Delhi and the same were also dismissed by the Hon'ble Supreme Court of India in SLP CC No.2552-2553/00 on 13.04.2000.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.2,82,941/- (Rupees two lakhs eighty two thousand nine hundred and forty one only)** in respect of O.P.Nos.138/91 and 137/91 pertaining to Khammampad H/o.Uppair (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante, shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works – 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.4128/F2(2)/2009-1, dated:29.10.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To  
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.  
The Special Collector, LA, Bheema Project, Mahabubnagar.  
The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.  
The SDC, LA, PJP, Gadwal, Mahabubnagar.  
The Director of Works Accounts, Hyderabad.  
Copy to: P.S. to Minister (M& MI).  
Finance (W&P) Department/File C.No.24923/LA.III(A2)/2009  
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER